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November 10, 2011

BY ECF

Honorable Lois Bloom
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Yecenia Miranda v. City of New York, et al., 11 CV 714 (NGG) (LB)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department, and the attorney for defendants City of New York, Lieutenant Peter Carretta, and Detective Derrick Golden ("defendants") in the above-referenced matter. I write to respectfully request an extension of the discovery deadline, from October 24, 2011, to December 16, 2011. Plaintiff's counsel, Christopher Wright, Esq., does not consent to this request.

First, I apologize to the Court for this belated request. I was out-of-the-country when the Court issued its Order on November 2, 2011. I returned this week and was finally able to speak with Mr. Wright today. As background, as Your Honor may recall, an initial conference was held in this case on May 24, 2011, at which time, Your Honor gave plaintiff until June 24, 2011, to amend the complaint. The Court also ordered that a status conference will be held after the amended complaint is filed. A status conference was held on July 28, 2011, at which time Your Honor set a discovery deadline for October 24, 2011. Due to an inadvertent error based on my extremely busy schedule in the past few months, I failed calendar the discovery deadline in my schedule; accordingly, I thought that we had more time for discovery.

Since the status conference, plaintiff's then-counsel, Harvis & Saleem, LLP has withdrawn as counsel for plaintiff and Christopher Wright, Esq. is now representing plaintiff. I was informed by Mr. Harvis and Mr. Wright that the infant plaintiff is currently residing in Colorado for school. As such, we explored the option of deposing the infant plaintiff by video. Last month, Mr. Wright informed me that the infant plaintiff is scheduled to return to New York City soon and that I could depose him when he returns to the City. I understand from Mr. Wright that, at this time, the infant plaintiff can be made available to be deposed in-person. In addition, there are several witnesses present at the scene of the arrest who are related to the infant

plaintiff that defendants also intend on deposing. I understand from Mr. Wright that he will not be taking any of the officers' deposition.

I sincerely apologize to the Court and to plaintiff for any inconvenience caused by my mistake in failing to properly schedule the discovery deadline in my calendar. Accordingly, I respectfully request an extension of the discovery deadline until December 16, 2011, to complete depositions.

Thank you for our consideration herein.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'dn' or 'Diep Nguyen', is positioned above the printed name.

Diep Nguyen
Assistant Corporation Counsel

cc: Christopher D. Wright, Esq. (By ECF)
Attorney for Plaintiff
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